

STATE ADMINISTRATION

Exhibit No. 2
Date 1/14/09
Bill No. SB123

SUGGESTED AMENDMENTS TO SB 123

Submitted by Ann Brodsky, Chief Legal Counsel to Governor Schweitzer

1. Title, line 5

Strike: "PROHIBITING"

Insert: "REQUIRING"

2. Title, line 5

Following: "CIRCUMSTANCES,"

Strike: the remainder of line 5 through line 6 in its entirety

Insert: "AN EXTENSION OF THE PUBLIC COMMENT PERIOD WHEN A STATE AGENCY AMENDS ITS"

2. Page 3, line 1

Following: "(c)"

Strike: the remainder of line 1 through line 5 in its entirety

Insert: "An agency may amend a statement of reasonable necessity at any time prior to adoption of a rule. An agency amending a statement of reasonable necessity must file the amendment with the secretary of state for publication in the register and, no later than two working days following the filing, send a copy of the amendment to all persons to whom the proposal notice must be sent under 2-4-302(2), to the primary sponsor if primary sponsor notification is required in 2-4-302(d), and to all persons who have submitted comment to the agency on the proposed rule prior to the publication of the agency's amendment of the statement of reasonable necessity by the secretary of state. If the publication of the agency's amendment by the secretary of state occurs after or less than ten days prior to the close of public comment on the rule, the agency must extend the time for public comment on its statement of reasonable necessity as amended and rule to which the amended statement of necessity applies for ten days following the date of publication by the secretary of state of the amended statement of reasonable necessity."